

# MEMO ENDORSED



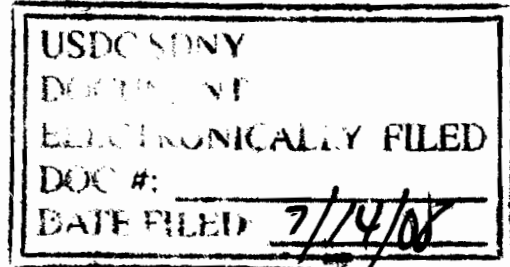
ROBERT M. MORGENTHAU  
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DISTRICT ATTORNEY  
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July 8, 2008

BY FAX



Honorable Theodore H. Katz  
United States Magistrate Judge  
United States Court House  
500 Pearl Street, Room 1660  
New York, NY 10007

Re: James P. Colliton v. Ann Marie Donnelly, et al., 07 Cv. 1922 (LTS) (THK)

Your Honor:

This letter is sent in connection with the above-captioned matter, a case brought pursuant to 42 U.S.C. § 1983 against Robert M. Morgenthau, District Attorney of New York County, and Ann Marie Donnelly and Rachel Lauren Hochhauser, both of whom are Assistant District Attorney for New York County (collectively the "DA Defendants").

Due to a unexpected scheduling conflict that has arisen, I am writing to request a 7-day extension of time to respond to the Second Amended Complaint on behalf of the DA Defendants. Presently, the DA Defendants' response is due on July 16, 2008. If this application is granted, the DA Defendants' response – a motion to dismiss – will be due on July 23, 2008; plaintiff's response will be due on August 25, 2008; and the DA Defendants' reply will be due on September 5, 2008.

This is the DA Defendants' second request for an extension of time to respond to the Second Amended Complaint. Because plaintiff is proceeding pro se, his consent to this application has not been sought nor obtained.

Respectfully submitted,

Michael S. Morgan  
Senior Appellate Counsel  
Director, Civil and Federal Litigation Unit  
(212) 335-9371 (telephone)  
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*The request is granted.*

cc: James P. Colliton, plaintiff pro se  
28 Milbank Road  
Poughkeepsie, New York 12603  
(by mail)

**SO ORDERED**

7/14/08   
THEODORE H. KATZ  
UNITED STATES MAGISTRATE JUDGE

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TO COUNSEL OF RECORD ON 7/14/08